

JAN 12 2007

Application No.: 10/621620

Case No.: 57901US005

REMARKS

This is in response to the final Office Action mailed 10/12/06. An RCE is being filed herewith. Claims 1-18 are pending. Claims 19-40 have been withdrawn without prejudice.

Interview Summary

The undersigned wishes to thank the Examiner for speaking by phone on January 10, 2007. The undersigned clarified that a key difference between the claimed invention and two cited prior art documents appeared to be that the only microneedles in these prior art documents having a "flat tip" were hollow. The flat tip is formed due to the hollow opening of the hole at the tip.

The Examiner shared that view and the undersigned proposed to file an amendment requiring the microneedles to be solid. The Examiner indicated that such amendment may be helpful but did not make any commitment to allow the case.

Amendments

Independent claims 1, 9, and 16 have been amended to require that the microneedles are solid (as opposed to hollow) at their tips. This clarifying language is clearly supported by at least the drawings.

§ 102 Rejections

Claims 1-8 and 17 were rejected under 35 U.S.C. 102(e) as being anticipated by Sherman et al (US 2002/0020688). Claims 9-16 and 18 were rejected under 35 U.S.C. 102(e) as being anticipated by Gonnelli (US 2003/0135167). However, it appears that the references to Sherman et al. and Gonnelli may have been inadvertently transposed.

In any event, Applicant submits that neither Sherman et al. nor Gonnelli show microneedles with a solid flat tip. To the contrary, in Sherman et al. it appears that any time the microneedles are solid they invariably have a sharp pointed tip, and Gonnelli appears to be directed solely to hollow, not solid, microneedles. Hence, although the claimed microneedles can have

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various shapes and geometries, they are solid at their tip. By "solid" it is meant that the needle perimeter shape is filled in with material and not hollow. In the cited art it is the presence of an axial hole at the tip which truncates the needle and forms a flat but hollow tip.

Accordingly, it is submitted that the claims distinguish over both Sherman et al. and Gonnelli.

In view of the above, it is submitted that the application is in condition for allowance. Reconsideration of the application is requested.

Respectfully submitted,

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Date

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